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PTO/SB/05 (03-01)

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 02811-0152 (42368-298888)

Inventors Nigel C. Phillips and Mario C. Fillion

Title Chemotherapeutic Composition and Method

Express Mail Label No. EV 041614119 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 21]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
5. Oath or Declaration [Total Pages 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS

TO:

Commissioner for Patents
Mailstop Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☒ Assignment:
 - a. ☐ Assignment Papers (cover sheet & document(s))
 - b. ☒ Assignment is of record in parent application No. 09/857,332
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Preliminary Amendment.

18. If a **CONTINUING APPLICATION**, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No: 09/857,332

Prior application information: Examiner J. Eric Angell

Group / Art Unit: 1635

Recite complete dependency back to first parent application: This application is a continuation of U.S. Patent Application Serial No. 09/857,332, filed June 4, 2001, which claims priority to PCT/CA99/01157 filed December 3, 1999, which claims priority to U.S. Provisional Application Serial No. 60/111,019 filed December 4, 1998 and to U.S. Provisional Application Serial No. 60/127,320 filed April 1, 1999.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number

23370

Name (Print/Type)	Elena S. Polovnikova, Ph.D.	Registration No. (Attorney/Agent)	52,130
Signature	Elena S. Polovnikova	Date	March 23, 2004

FEE TRANSMITTAL

Attorney Docket No. 02811-0152 (42368-298888)

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): **Nigel C. Phillips and Mario C. Fillion**
Filing Date: **March 23, 2004**
Title: **Chemotherapeutic Composition and Method**

The filing fee is calculated as shown below:

1. FILING FEE:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$385		\$770	770
<input type="checkbox"/> DESIGN FILING FEE	\$170		\$340	
<input type="checkbox"/> PLANT FILING FEE	\$265		\$530	
<input type="checkbox"/> REISSUE FILING FEE	\$385		\$770	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80		\$160	
SUBTOTAL (1)		\$		\$770

2. CLAIMS:

SMALL ENTITY				LARGE ENTITY		
FOR:	NO. FILED	NO. EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	2 - 20 =		x 9 =		x 18 =	
INDEP. CLAIMS	2 - 3 =		x 43 =		x 86 =	
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED			+145 =		+290 =	
SUBTOTAL (2)				\$		\$0

3. ADDITIONAL FEES:

SMALL ENTITY			LARGE ENTITY	
FOR:	FEE	FEE PAID	FEE	FEE PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH	\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input type="checkbox"/> OTHER				
SUBTOTAL (3)		\$		\$0

TOTAL FILING FEES: \$770.00A check is enclosed for the total amount: **\$770.00**☒ Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

KILPATRICK STOCKTON LLP
1100 Peachtree Street, Suite 2800
Atlanta, Georgia 30309-4530
Telephone: 404-815-6500

By: Elena S. Polovnikova
Elena S. Polovnikova, Ph.D., Patent Agent for Applicant
Reg. No. 52,130

Date: March 23, 2004